

HONOURABLE JUSTICE G. SRI DEVI

CRIMINAL PETITION No.3796 of 2019

ORDER:

The petitioner, who is accused No.4, filed the present application under Sections 437 and 439 of Criminal Procedure Code 1973, seeking to grant bail to him in Crime No.174 of 2019 of Saroor Nagar Police Station, Rachakonda, which was registered for the offence punishable under Section 8 (c) read with 21 (b) of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short, 'NDPS Act').

2. Heard the learned counsel for the petitioner/accused No.4 and the learned Additional Public Prosecutor appearing for the respondent-State.

3. The case of the prosecution is that on 09.03.2019 at about 9:30 PM, the Inspector of Police, Saroornagar, while conducting checking at Karmanghat X Road, apprehended accused No.1, who is having possession of narcotic drugs and transporting the same in Swift D-Zire Car bearing No.AP-31-TV-6851, while accused Nos.2 and 3 escaped, and they seized 15 grams of cocaine, 15 grams of heroin, 35 grams of other drug and basing on the confession of accused No.1, on 13.03.2019, on credible information, they went to Secunderabad Railway Station and apprehended accused Nos.2 to 5, and on search found accused No.2 was in possession of 325 grams of cocaine, 575 grams of heroine, 600 grams of other contraband and also seized mobile phones from accused No.3 to 5.

4. Learned counsel for the petitioner/accused No.4 would submit that the petitioner has been falsely implicated in this case; that the petitioner is in judicial custody since 14.03.2019; that no contraband is seized from the possession of the petitioner; that except the confessional statement of accused No.2, no other material is collected connecting the petitioner with the present crime and hence, he prays to grant bail to the petitioner.

5. As seen from the Remand Case Diary, the petitioner/accused No.4 is doing tobacco products and supplying the same to accused No.6. It is also alleged that accused No.4 also supplied huge quantity of cocaine, heroin to accused Nos.1 to 3, who in turn sold the same to customers at Hyderabad.

6. Since the allegations levelled against the petitioner/accused No.4 are grave in nature, in the considered opinion of this Court, the petitioner is not entitled for bail. Hence, the petition is liable to be dismissed.

7. Accordingly, the Criminal Petition is dismissed. Miscellaneous petitions pending, if any, shall stand closed.

JUSTICE G. SRI DEVI

JULY 16, 2019
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Date: 16.07.2019

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